

Applicant: Giuseppe Dal Pra'
Application No.: 10/041,569

REMARKS

Prior to the foregoing Amendment, pending claims 1-6 stood as rejected. In response to the rejection, claims 1, 2, and 4 are amended; claims 3, 5, and 6 are cancelled; and claims 9-25 are added. Claims 1, 2, 4 and 9-25 are now pending. The Specification, Drawings, and Abstract are all amended herein. These amendments and submissions respond to the issues identified in the Office Action and Applicant respectfully traverses each of the rejections stated in the Office Action.

The Examiner asked that the reference cited in the Specification (EP 0 504 118) be cited on a separate Information Disclosure Statement. A copy of the reference and IDS is submitted herewith.

The Specification is amended by minor grammar changes and to indicate a reference number (25) for the control cable.

The Applicant thanks the Examiner for the early indication of allowable subject matter in original dependent claims 3, 5, and 6. These previously dependent claims are combined herein with their independent base claims to form new independent claims. Amended claim 1 combines the allowable subject matter previously in claim 3. New claim 9 combines claim 6 as original claims 3, 5, and 6 were indicated as allowable, pending claims 1, 9, and 12 are allowable.

New claim 15 combines the subject matter of claims 5 and 1 but defines the

rotation direction of the cable differently than is claimed in claim 9. New claims 10, 11, 13, 14, and 16-18 depend from independent claims that contain subject matter already indicated as allowable.

The examiner objected to a few matters of form. In claim 1, a colon is added after "comprising". In claim 1, the use of "substantially" in a claim is believed to be proper as it "denotes language of approximation." Epcon Gas v. Bauer Compressors, 279 F.3d 1022, 1031 (Fed. Cir. 2002). The antecedent basis issues identified in the Action in claims 1, 3, 5, and 6 are addressed through the claim amendments.

Claim 19 corresponds to originally filed and currently rejected claim 1. This claim stands rejected in view of Romano. Romano discloses a gear change control device with toothed gear 27 securely connected to a shaft 24. Romano's combined shaft/gear is rotated for winding or unwinding the cable 29 during up- and downshifting, respectively. Downshifting is accomplished by pressing lever 37 to bring the tooth 35 of lever 37 to engage tooth 34 of toothed wheel 27. Col. 6, line 47-Col. 7, line 6. Rotation of toothed wheel 27 is then obtained through the force imparted by the cyclist to lever 37, which is transmitted to toothed wheel 27 and then to shaft 24.

Romano does not provide for shifting by releasing the shaft 24 so that "the shaft [is] free to turn by a predetermined amount in the release direction of the

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cable”, as claim 19 describes. Romano’s downshifting, in contrast, requires the forceful interaction of the teeth on the wheel. This type of downshifting requires a long stroke and forceful push on Romano’s lever 37. The claimed unit avoids Romano’s gear and tooth interaction, and pushing the lever 32 requires a shorter stroke than Romano. The reason is that in the claimed gear unit, downshifting is accomplished by the disengagement of the tooth and gear; after disengagement, the tension in the cable rotates the freely turning gear and the downshift occurs.

Claims 20-25 further narrow claim 19 and for the above mentioned reasons, are believe patentable over Romano as well.

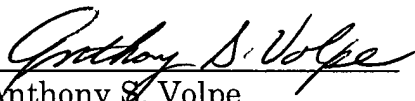
Applicant respectfully submits that the presently claimed inventions are patentable over the prior art, as was previously indicated. Reconsideration and allowance of claims 1, 2, 4, and 9-25 are respectfully requested.

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If the Examiner believe that an interview, telephonically or in person, would advance the prosecution of this case, it is requested that the under be contact to arrange an interview.

Respectfully submitted,

Giuseppe Dal Pra'

By 
Anthony S. Volpe
Registration No. 28,377
(215) 568-6400

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103

ASV/SBS/tab